

REMARKS

Claims 1-23 were pending in the present application. New claim 24 is added herein. Thus claims 1-24 are now pending. The applicants respectfully request reconsideration and allowance of the present application in view of the above amendments and the following remarks.

The applicants note with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all certified copies of the priority documents have been received.

The applicants acknowledge and appreciate receiving a copy of the form PTO-1449 submitted with the Information Disclosure Statement filed on March 16, 2004 on which the Examiner has initialed all listed items.

The applicants still further note with great appreciation the Examiner Interview held on October 6, 2005 in which issues related to the Office Action mailed June 13, 2005 were discussed. In particular, the Examiner and the undersigned discussed the claims in connection with the putative rejection under 35 USC §112, second paragraph and possible clarification using claims 4 and 11 as exemplary claims for discussion.

Claims 4, 5, 11, 12, 14, and 16-23 stand rejected under 35 USC §112, second paragraph, as being allegedly indefinite. Without acknowledging the propriety of the rejection, claims 4, 11, 16, 20, and 22 are amended herein for clarification only and not for reasons related to patentability.

In making the rejection of claim 4 and 5, the Examiner notes that a discrepancy exists in claim 4 based on apparent contradictory recitations, e.g. that the circumferential angular extents differ, while, at the same time, the circumferential angular extents of one of the two adjacent thin wall bridge portions is the same as the other. Applicants have addressed the apparent contradiction in the discussion provided hereinbelow and note that, upon more careful review,

the recitations are consistent and do not contradict each other. However, as noted claim 4 is amended for clarification.

Applicants note that claim 4 recites that all the circumferential angular extents of the thin wall portions of the plurality of the bridges differ from one another *in each inner core sheet*. The limitation of claim 4 can be better explained and understood with specific reference to the embodiment shown in and described in view of FIG. 5 (see, e.g. page 14, line 14 to page 15, line 1 of the applicants' specification). In FIG. 5, the circumferential angular extents (a-i) of the thin wall portions (37a-37i) of each inner core sheet (34) are set to about 11 degrees, about 10.5 degrees, about 12 degrees, about 9 degrees, about 8.5 degrees, about 8 degrees, about 10 degrees, about 11.5 degrees and about 9.5 degrees, respectively, and therefore differ from one another, as recited in claim 4. Claim 4 further recites that the circumferential angular extent, e.g. the extents (a-i) as described above, of one of every axially adjacent two of the thin wall portions of the inner core sheets is substantially the same as the circumferential angular extent of the other one of the every axially adjacent two of the thin wall portions. This point is also clearly exemplified in FIG. 5 and described on page 14, line 25 of applicants specification. In FIG. 5, for example, the circumferential angular extent, e.g., about 10.5 degrees, of one of every axially adjacent two thin wall portions (37a), which are arranged one after another in the axial direction such as the vertical direction in FIG. 5, is substantially the same as the circumferential angular extent, e.g., about 10.5 degrees, of the other one of the every axially adjacent two thin wall portions (37a).

In making the rejection of claim 11, the Examiner notes that a discrepancy also exists in claim 11 based on apparent contradictory recitations, e.g. that all of the circumferential angular extents are identical and all of the displacement angles of the circumferential centers are identical, while, at the same time, the displacement angles of the circumferential centers of one of every two axially adjacent two of the thin wall portions of the inner core sheets differ from the

displacement angle of the circumferential center of the other one of the every axially adjacent two of the thin wall portions. Applicants have addressed the apparent contradiction in the discussion provided hereinbelow and note that, upon more careful review, the recitations are consistent and do not contradict each other.

Applicants note that claim 11 recites that all circumferential angular extents of the thin wall portions are generally identical to one another in each corresponding inner core sheet, as clearly depicted, for example, in FIG. 18A and described, for example, on page 38, line 13 to page 39, line 14 of the applicants' specification. Specifically, for example as shown in FIG. 18A, all the circumferential angular extents of the thin wall portions (37a-37i) are set to be about 8 degrees. Claim 11 further recites that all the displacement angles of the circumferential centers of the thin wall portions, e.g. the magnitude of the angles, are generally identical to one another *in each corresponding inner core sheet*. However, the displacement angle of the circumferential center of one of every axially adjacent two of the thin wall portions of the inner core sheets, e.g. the circumferential displacement angle, differs from the displacement angle of the circumferential center of the other one of the every axially adjacent two of the thin wall portions in that it is offset, e.g. circumferentially shifted or displaced. These limitations of claim 11 are also exemplified in, for example, FIG. 18A. Specifically, with reference to FIG. 18A, in one of two adjacent core sheets 34, which are arranged one after another in the axial direction, i.e., in the vertical direction in FIG. 18A, the circumferential center of the thin wall portion (37a-37i) of each bridge (36) is circumferentially displaced from the circumferential center of the bridge (36) by about +2 degrees (positive angle). In the other one of the two adjacent core sheets 34, the circumferential center of the thin wall portion (37a-37i) of each bridge (36) is circumferentially displaced from the circumferential center of the bridge (36) by about -2 degrees (negative angle). Claim 11 as noted however, is amended for clarification.

Claim 12 recites that identical ones of the thin wall portions, which are generally identical to one another in terms of the displacement angle, are respectively axially placed once every predetermined number of the inner core sheets. The Examiner alleges that the displacement angles are identical. However, claim 11, from which claim 12 depends, only recites that all the displacement angles of the circumferential centers of the thin wall portions are generally identical to one another *in each corresponding inner core sheet*. "Each corresponding inner core sheet" as recited should be distinguished from a recitation in which all angles are identical in all inner core sheets which is not what has been recited. Rather, the recitation including "each corresponding inner core sheet" means each of the corresponding ones of the plurality of inner core sheets. For example, as recited in page 38, line 24 to page 39, line 14, in the case of FIG. 18A, when the nine stacked inner core sheets 34 are referred to as first to ninth inner core sheets 34, the displacement angles of the circumferential centers of the thin wall portions of the odd numbered core sheets (i.e., the first, third, fifth, seventh and ninth core sheets) 34 are set to be, for example, about -2 degrees, and the displacement angles of the circumferential centers of the thin wall portions of the even numbered core sheets (the second, fourth, sixth and eighth core sheets) 34 are set to be, for example, about +2 degrees. Thus, the identical ones of the thin wall portions, which are generally identical to one another in terms of the displacement angle, are respectively axially placed once every two inner core sheets.

In view of the explanations noted above with regard to the apparent contradiction in recitations of claims 4, 5, and 11, 12, the recitations of claims 14 and 16-23 should now be clear particularly with reference, for example, to Figures 18A, 20, and 22. However, as also noted, claims 16, 20 and 22 are amended herein for clarity.

It is well established that in order to support a rejection under 35 U.S.C. §112, second paragraph, e.g. in order to make out a *prima facie* case of indefiniteness sufficient to raise a

rebuttable presumption of indefiniteness and shift the burden to the applicant, the Examiner must provide evidence that one of ordinary skill in the art would not understand, *within a reasonable degree of certainty*, the scope of the claims when read in light of the specification. Since no evidence has been provided to show that one of ordinary skill in the art would not understand the claims, and since applicants have clearly shown, with reference to, for example, Figure 5, 18A, 20, and 22 of the drawings and specific portions of the specification describing the figures, that the subject matter of the claims is described with sufficient clarity, the rejection is not properly supported and an objection would have been a more appropriate way to address the issues of clarity. Claims 4, 11, 16, 20, and 22 however have been amended herein to improve the clarity thereof and to expedite prosecution.

Claim 9 stands rejected under 35 USC §102(b) as being allegedly anticipated by Nishikawa, et al., JP-09-019089 (hereinafter "Nishikawa"). The rejection is respectfully traversed.

In characterizing Nishikawa, the Examiner alleges, for example, that a circumferential center of the thin wall portion of each bridge is circumferentially displaced from a circumferential center of the bridge by a corresponding displacement angle in each inner core sheet. In support of the Examiner's contention, Figures 1, 2, and 5 of Nishikawa are alleged to show that the displacement angle in each inner core sheet is arranged in equally spaced interval of the same displacement angle. However, a close review of Figures 1, 2, and 5 of Nishikawa reveals only a stator provided with thin wall portions. Nishikawa, and Figures 1, 2, and 5 in particular, fail to show or disclose the displacement of the circumferential center of the thin wall portion of each bridge from the circumferential center of the bridge as claimed. Applicants note that in the claimed invention, the displacement of the circumferential center of the thin wall portion of each bridge from the circumferential center of the bridge allows spreading of the

torque oscillations in the cogging torque over multiple frequency components and thereby reducing the noise and vibration.

Accordingly, for at least the reasons set forth hereinabove, a *prima facie* case of anticipation has not properly been established in that the applied reference fails to disclose all the claimed features as required. It is respectfully requested that the rejection of independent claim 9 be reconsidered and withdrawn.

Claims 1-7, 10, 11, 12, 14, and 16-23 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Nishikawa in view of Kimura et al., JP-2000-350389 (hereinafter “Kimura”). The rejection is respectfully traversed.

In making the rejection, the Examiner alleges that Nishikawa teaches the features of the claimed invention according to, for example, independent claims 1 and 22. The Examiner admits that Nishikawa fails to teach or suggest that a circumferential angular extent of at least one of the thin wall portions of the plurality of bridges differs from that of at least another one of the thin wall portions of the plurality of bridges in each inner core sheet. Applicants note that the claimed feature is associated with independent claim 1. The Examiner has not specifically alleged however that Nishikawa teaches or does not teach, for example, features of claim 22, such as that *all circumferential angular extents* of the thin wall portions of the plurality of bridges are *generally identical* to one another in each corresponding inner core sheet, and a first circumferential angular extent of one of *every axially adjacent two* of the thin wall portions of the inner core sheets *differs* from a corresponding second circumferential angular extent of the other one of the every axially adjacent two of the thin wall portions. For at least the reasons discussed above, applicants submit that Nishikawa fails to teach or suggest such features.

To account for the alleged deficiencies in Nishikawa, Kimura is cited as being properly combinable with Nishikawa and as containing teachings to account for the deficiencies of

Nishikawa. Specifically, Kimura is alleged by the Examiner to account for the deficiencies by describing a magnetic core having a plurality of iron core portions (N1-N10), each of which extends radially from the core ring wherein the radially extending core portions of the core sheet are circumferentially arranged so that the tip portions circumferentially form bridges therebetween being deviated at different angular intervals.

Applicants first note that the Examiner has not met the burden of showing evidence of a suggestion contained in the references that would be sufficient to guide or motivate one of ordinary skill in the art to combine the references. Absent such evidence, applicants contend that a *prima facie* case of obviousness cannot be sustained. Notwithstanding applicants' contention, and assuming, *arguendo*, that the combination is properly motivated, applicants note that Nishikawa could not be modified based on the teachings of Kimura to arrive at the claimed invention.

Applicants importantly note that Kimura fails to teach an outer core of a stator. Rather, Kimura describes only tip portions of iron core portions of an inner core, which portions are spaced from one another in the circumferential direction. Applicants also note that Kimura fails to teach or suggest bridges and thus necessarily fails to teach or suggest the thin wall portions of the bridges. Accordingly, since Kimura fails to teach or suggest bridges and thin wall portions of bridges, even if the stator of Nishikawa is modified in view of Kimura, the resulting stator would fail to arrive at the invention as recited in claim 1, e.g. the resulting stator would fail to possess inventive features of the claimed invention such as that a circumferential angular extent of at least one of the thin wall portions of the plurality of bridges differs from that of at least another one of the thin wall portions of the plurality of bridges in each inner core sheet. Still further, the resulting stator would fail to arrive at the invention as recited in claim 22, e.g. the resulting stator would fail to possess inventive features of the claimed invention such as that the circumferential

angular extent of one of every axially adjacent two of the thin wall portions of the inner core sheets differs from the circumferential angular extent of the other one of the every axially adjacent two of the thin wall portions.

Accordingly, for at least the reasons set forth hereinabove, a *prima facie* case of obviousness has not properly been established in that the applied art combination is improperly motivated and still fails to teach or suggest all the claimed features as required. It is respectfully requested that the rejection of independent claims 1 and 22 be reconsidered and withdrawn.

Claims 2-7, 10-12, 14, 16-21, and 23 by virtue of depending from independent claims 1, 9, and 22, are allowable for at least the reasons set forth hereinabove. It is respectfully requested therefore that the rejection of claims 2-7, 10-12, 14, 16-21, and 23 be reconsidered and withdrawn.

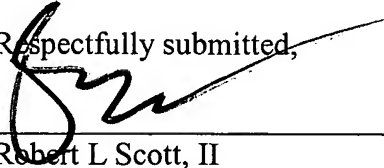
The indication of allowable subject matter with regard to claims 8, 13, and 15 is noted with appreciation. Applicants reserve the opportunity to rewrite claims 8, 13, and 15 pending the outcome of further prosecution. Applicants incidentally note that claim 15 is amended herein to correct a minor typographical error. No new matter has been entered.

Serial No. 10/800,832

In view of the foregoing, the applicants respectfully submit that the present application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



Robert L Scott, II
Reg. No. 43,102

Posz Law Group, PLC
12040 South Lakes Drive, Suite 101
Reston, VA 20191
Phone 703-707-9110
Fax 703-707-9112
Customer No. 23400